

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**FRANK MORGAN**

**Plaintiff,**

**v.**

**CIVIL ACTION NO.: 2:18-cv-01450  
Honorable Thomas Johnston**

**LOGAN COUNTY COMMISSION, A West  
Virginia county government;  
LOGAN COUNTY SHERIFF SONYA M.  
DINGESS-PORTER, individually and in her  
official capacity;  
DEPUTY BARRY MYNES, individually and in  
his official capacity;  
DEPUTY JOEY SHEPARD, individually and in  
his official capacity  
DEPUTY NICK TUCKER, individually and in  
his official capacity;  
CITY OF LOGAN/CITY OF LOGAN POLICE  
DEPARTMENT, West Virginia municipal  
government/municipal governmental agency;  
CITY OF LOGAN POLICE CHIEF P.D.  
CLEMENS, individually and in his official  
capacity;  
OFFICER J.D. TINCHER, individually and in  
his official capacity;  
OFFICER KEVIN CONLEY, individually and in  
his official capacity;  
JOHN DOE OFFICERS/DEPUTIES,  
individually and in their official capacities;**

**Defendants.**

**STIPULATION OF DISMISSAL OF DEFENDANT DEPUTY JOEY SHEPARD**

NOW COMES Plaintiff, by and through his counsel, Kerry A. Nessel, pursuant to Federal Civil Procedure Rule 41(a)(1)(A)(ii), and stipulates to the voluntary dismissal by him of Defendant

Deputy Joey Shepard as a defendant in this matter, with prejudice, to which all counsel have consented by virtue of their signatures affixed hereto.

Submitted by:

/s/ Kerry A. Nessel  
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